

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLARENCE ANTHONY HATTON,

Defendant.

Case No. 3:14-cr-00057-SLG-4

ORDER TAKING JUDICIAL NOTICE

Before the Court at Docket 513 is Defendant Clarence Anthony Hatton's response to the government's Motion to Take Judicial Notice.¹ The Court has granted the government's motion and taken judicial notice of a table—prepared by the government based on information found in the Public Access to Court Electronic Records (PACER) database—listing federal criminal cases in which defendant's former counsel was listed as counsel of record.² The government's table was admitted as Exhibit 2 at the evidentiary hearing in this case.³

Mr. Hatton seeks to have the Court take judicial notice of a similar table prepared by the defense, identified as Exhibit VVV. The defense table modifies government Exhibit 2 by adding a column of "notes" also based on information

¹ The government's motion is at Docket 504.

² Docket 504-2 (chart); Docket 506.

³ Docket 508 (under seal).

found in PACER. These notes include objective information such as dates, types of filed documents, and the length of imposed sentences.⁴

Having reviewed the proposed exhibit, the Court finds the information in the exhibit "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned."⁵ Moreover, "[a] court may take judicial notice of undisputed matters of public record, which may include court records available through PACER."⁶

In light of the foregoing, IT IS ORDERED that the Court will take judicial notice of the PACER information in defense exhibit VVV. Exhibit VVV is admitted into evidence.

DATED this 14th day of April, 2020, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

⁴ Docket 513-1.

⁵ Fed. R. Evid. 201(b)(2).

⁶ *United States v. Raygoza-Garcia*, 902 F.3d 994, 1001 (9th Cir. 2018).